

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

Chapter 7

Bankruptcy No. 20-40631

Adversary. No. 21-04027

In Re:)	
)	
Scott Allyn Simons,)	
Debtor)	
_____)	
Nationwide Judgment Recovery,)	
Inc.,)	
)	ANSWER TO ADVERSARY
Plaintiff,)	COMPLAINT
vs.)	
)	
Scott Allyn Simons,)	
)	
Defendant.)	
)	

For his answer to the Plaintiff's Complaint, Defendant Scott Allyn Simons, by and through his undersigned counsel, states and alleges as follows:

1. Defendant admits paragraphs 2, 3, 13, and 14 of Plaintiffs' Complaint.
2. Defendant denies paragraphs 10, 28, 29, 31 and 32 and puts Plaintiff to its strict proof thereof.
3. It does not appear that any specific response to paragraph 20 of Plaintiff's Complaint, even so, to the extent that any such response may be required, the contents of this paragraph are denied.
4. Defendant is without sufficient information at this time to form an opinion about the truth or falsity or veracity of the allegations contained within paragraphs 6, 7, 8, 17, 25, and 26 of Plaintiff's Complaint.
5. Paragraphs 4, 5, 11, 15, 18, 19, 21, 22, 23, 24, 27, and 30 contain recitations of statutes, documents, or references to other cases. The Defendant responds to these allegations by asserting that these statutes, documents, or references to other cases speak for themselves.

6. Defendant denies the characterizations in the first sentence of paragraph 12 of the Complaint. There was no SEC action against the Defendant. With regard to the second sentence of this paragraph, the Defendant asserts that the Complaint referenced speaks for itself.
7. Defendant denies the characterization in paragraph 16 that states: "the Court found that Zeekrewards operated as a Ponzi scheme in violation of federal securities law..." and asserts that the Complaint referenced speaks for itself.

AFFIRMATIVE DEFENSE

1. Plaintiff has failed to state a claim upon which relief can be granted. Specifically, the Plaintiff has not pled a valid claim under 11 U.S.C. 523 (a) (19) in that the judgment that was entered against the Defendant in the U.S. District Court in the Western District of North Carolina was for claims of Fraudulent Transfers and Constructive Trust. The Defendant has never been a party to any state or federal securities action. Therefore the Plaintiff's claims, if any, would lie within 11 U.S.C. 523 (a) (2), (4) or (6) and are hence time-barred as the deadline to assert such claims in this case was June 1, 2020.

WHEREFORE, the undersigned respectfully requests:

1. Dismissal of the Complaint in its entirety;
2. Other relief as the Court deems just and proper.

Dated: April 30, 2021

/e/ Nathan M. Hansen
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